

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ANTONIO MAHOLMES, JR.,

Plaintiff,

v.

DESIREE H. TOLDT and MARATHON COUNTY  
DISTRICT ATTORNEY'S OFFICE,

Defendants.

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ORDER

Case No. 19-cv-1053-jdp

Plaintiff Antonio Maholmes, Jr. has filed a proposed civil complaint and requests leave to proceed without prepayment of the filing fee. In support of his request for leave to proceed without prepayment of the filing fee, plaintiff submitted an inmate trust fund account statement for December 18, 2019. However, a decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately June 26, 2019 and ending approximately December 26, 2019. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Antonio Maholmes, Jr. may have until January 23, 2020 to submit a certified trust fund account statement for the period beginning approximately June

26, 2019 and ending approximately December 26, 2019. If, by January 23, 2020, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 26th day of December, 2019.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge